

REMARKS

In response to the above-identified Office Action (“Action”), Applicants traverse the Examiner’s rejection to the claims and seek reconsideration thereof. Claims 1-19 are pending in the present application. Claims 1-5, 6, 7, 10 and 14-17 are rejected and 8, 9, 11-13, 18 and 19 are objected to. In this response, no claims are amended, no claims are cancelled and no claims are added.

I. Claim Rejections – 35 U.S.C. §103

A. In the outstanding Action, claims 1-5 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,768,452 issued to Gilkes (“Gilkes”) in view of *Distribution of Time services over Networks in a Multi-Network Environment* by Shaton (“Shaton”). Applicants respectfully traverse the rejection for at least the foregoing reasons.

To establish a *prima facie* case of obviousness, the Examiner must show the cited references, combined, teach or suggest the claimed combination of elements or identify an apparent reason to combine prior art elements in the manner claimed.

In regard to independent claim 1, Applicants respectfully submit Gilkes in view of Shaton fails to teach or suggest or provide any apparent reason for at least the elements of “an NTP (Network Time Protocol) server for providing time synchronization to a plurality of node units in the network” and “the NTP server providing time synchronization to the node units in the network by using a synchronous mobile terminal as a reference clock” as recited in claim 1.

In particular, the Examiner alleges Figure 9a of Gilkes teaches an NTP server 920 for providing time synchronization to a plurality of node units in the network 915 and states that the network includes a plurality of nodes. See Action, page 3. Gilkes, however, expressly teaches a system for providing time to a satellite positioning system (SPS) receiver to assist in satellite acquisition. See Gilkes, col. 1, lines 9-12. The SPS receiver is found within mobile unit 905 of Figure 9a and time is provided to the SPS receiver by the time server (e.g., NTP server 920). See Gilkes, col. 15, lines 1-11; col. 2, lines 45-53. There is no mention of providing time synchronization to nodes within the network in Gilkes and providing time to a mobile unit as

disclosed in Gilkes may not be characterized as providing time synchronization to a plurality of node units within a network using a synchronous mobile terminal as a reference clock as required by claim 1.

Moreover, Shaton may not be combined with Gilkes to teach these elements. In particular, the Examiner alleges in view of the teaching in Shaton of an NTP server receiving time reference from an external source (p. 286), one of ordinary skill in the art would find it obvious to use the mobile unit 905 of Gilkes as a reference clock. See Action, pages 3-4. As pointed out above, however, Gilkes teaches a time server for providing time to a mobile unit 905 for enabling signal acquisition in a satellite positioning system and does not contemplate use of the mobile unit 905 as a reference clock. Shaton does not suggest using a mobile unit such as mobile unit 905 disclosed in Gilkes to provide time to the server or nodes of the network to synchronize the network. Accordingly, upon review of Shaton and Gilkes, one of ordinary skill in the art would not recognize any reason to modify Gilkes in the manner proposed by the Examiner.

Thus, for at least the foregoing reasons claim 1 is not *prima facie* obvious over Gilkes in view of Shaton. Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §103 in view of Gilkes and Shaton.

In regard to claims 2-5, claims 2-5 depend from claim 1 and incorporate the limitations thereof. For at least the reasons that claim 1 is not *prima facie* obvious over Gilkes and Shaton, claims 2-5 are further not obvious over the cited references. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2-5 under 35 U.S.C. §103 in view of Gilkes and Shaton.

B. In the outstanding Action, claims 6, 7, 10 and 14-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gilkes in view of Shaton and further in view of U.S. Patent No. 4,893,318 issued to Potash et al. ("Potash"). Applicants respectfully traverse the rejection for at least the following reasons.

In regard to independent claims 10 and 14, Applicants respectfully submit for at least the reasons previously discussed, Gilkes in view of Shaton fail to teach or suggest or provide any apparent reason for at least the elements of an NTP server for synchronizing a network that includes a plurality of node units using a synchronous mobile terminal as a virtual or external reference clock as required in claims 10 and 14.

In addition, Potash may not be relied upon to cure the deficiencies of Gilkes and Shaton with respect to at least these elements. The Examiner alleges Potash teaches a virtual clock manager in communication with slave clocks and therefore it would have been obvious to modify Gilkes to use a master clock for managing slave clocks for synchronizing multiple nodes. See Office Action, page 7. Potash, however, teaches that the master clock is a ground station and the slave clocks are satellite stations synchronized relative to the ground station. See Potash, col. 8, lines 1-42, Figure 3. One of ordinary skill in the art would not understand any reason to modify Gilkes to include a mobile terminal providing time synchronization to a plurality of node units in a network in view of Potash's teaching of a ground station for synchronization of satellite stations.

Thus, for at least the foregoing reasons, claims 10 and 14 are not *prima facie* obvious over the combination of Gilkes, Shaton and Potash. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 and 14 under 35 U.S.C. §103 in view of Gilkes, Shaton and Potash.

In regard to claims 6-7 and 15-17, these claims depend from claims 1 and 14, respectively, and incorporate the limitations thereof. For at least the reasons that claims 1 and 14 are not *prima facie* obvious over Gilkes, Shaton and Potash, claims 6-7 and 15-17 are further not obvious over the cited references. Applicants respectfully request reconsideration and withdrawal of the rejection of claims 6-7 and 15-17 under 35 U.S.C. §103 in view of Gilkes, Shaton and Potash.

II. Allowable Subject Matter

Applicants respectfully acknowledge the Examiner's indication that claims 8, 9, 11-13, 18 and 19 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 8-9, 11-13 and 18-19 depend from claims 1, 10 and 14, respectively. For at least the reasons previously discussed, claims 1 and 14 are patentable over the prior art. Thus, for at least the reason that claims 8-9, 11-13 and 18-19 depend from allowable base claims, Applicants believe the claims are in condition for allowance without rewriting them as requested by the Examiner.

CONCLUSION


In view of the foregoing, it is believed that all claims now pending, namely claims 1-19, are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

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By: _____


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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on July 17, 2007.

Si Vuong

